

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF TOTAL CALL MOBILE,	)	
INC. FOR LIMITED DESIGNATION AS	)	CASE NO.
AN ELIGIBLE TELECOMMUNICATIONS	)	2014-00268
CARRIER	)	

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION  
TO TOTAL CALL MOBILE, INC.

Total Call Mobile, Inc. ("Total Call"), pursuant to 807 KAR 5:001, is to file with the Commission the original and ten copies of the following information, with a copy to all parties of record. The information requested herein is due on or before October 24, 2014. Responses to requests for information shall be appropriately bound, tabbed, and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Total Call shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which

Total Call fails or refuses to furnish all or part of the requested information, Total Call shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention should be given to copied material to ensure that it is legible. If the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

1. Confirm that Total Call does not seek to receive funds from the Kentucky Universal Service Fund ("USF") for the provision of Lifeline service to Kentucky customers.

2. Refer to page 4 of the Application, which states that Total Call "intends to be the leader in the wireless marketplace by offering exceptional value and competitive amounts of voice usage at all price points to consumers." Compare and contrast Total Call's service offerings to those of other Lifeline providers.

3. Throughout the Application and Exhibits, Total Call references tribal and non-tribal customer plans. Kentucky does not have any tribal lands as defined by 47 C.F.R. § 54.400(e). Confirm that Total Call's inclusion of plans to customers in tribal lands in the Application was inadvertent.

4. Refer to page 7 of the Application. Describe Total Call's proposed in-person events that it will use to sign up Lifeline customers.

5. Refer to page 7 of the Application, which states that Total Call's "distribution network" will be used to provide information to applicants for Lifeline service. Describe Total Call's "distribution network."

6. Refer to page 7 of the Application, which states that Total Call has a 90-day non-usage policy. Explain how this complies with 47 C.F.R § 54.407 (c)(2), which requires a 60-day non-usage policy.

7. Refer to pages 14-15 of the Application, which detail how Total Call will advertise the availability of supported services. Provide further explanation describing Total Call's marketing plan and the inclusion of print, radio, and television advertisements, if any.

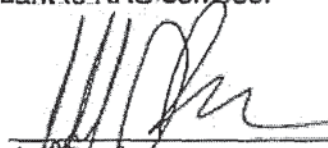
8. Refer to page 16 of the Application, which states that Total Call can provide service in every Zip Code in Kentucky. Provide maps or other documentation that demonstrate that Sprint PCS, the underlying carrier of Total Call, provides service in every Zip Code in Kentucky.

9. For each state in which Total Call has been designated as an Eligible Telecommunications Carrier for the purpose of offering Lifeline service, provide the percentage of Lifeline customers as compared to total customers in each state.

10. Confirm that Total Call will collect or otherwise contribute \$.08 per line per month to the Kentucky USF for each Total Call Kentucky customer, both Lifeline and non-Lifeline.

11. Confirm that Total Call will collect or otherwise contribute \$.04 per line per month to the Kentucky Telecommunications Relay Service/Telecommunication Access Program Fund for each Total Call Kentucky customer, both Lifeline and non-Lifeline.

12. Confirm that Total Call will contribute to the Commercial Mobile Radio Service Emergency Telecommunications Fund pursuant to KRS 65.7635.

  
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Jeff Derouen  
Executive Director  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

DATED SEP 24 2014

cc: Parties of Record

Case No. 2014-00268

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

OCT 28 2014

In the Matter of:

PUBLIC SERVICE  
COMMISSION

APPLICATION OF TOTAL CALL MOBILE, )	
INC. FOR LIMITED DESIGNATION AS )	CASE NO.
AN ELIGIBLE TELECOMMUNICATIONS )	2014-00268
CARRIER )	

**TOTAL CALL MOBILE, INC.'S RESPONSES TO THE KENTUCKY PUBLIC  
SERVICE COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION**

**Information Request #1:** Confirm that Total Call does not seek to receive funds from the Kentucky Universal Service Fund ("USF") for the provision of Lifeline service to Kentucky customers.

**Response to Information Request #1:** Yes, Total Call Mobile, Inc. ("Total Call" or the "Company") does not seek to receive funds from the Kentucky USF at this time.

Witness: Hideki Kato, Chief Operating Officer, Total Call Mobile, Inc.

**Information Request #10:** Confirm that Total Call will collect or otherwise contribute \$.08 per line per month to the Kentucky USF for each Total Call Kentucky customer, both Lifeline and non-Lifeline.

**Response to Information Request #10:** Yes, Total Call will contribute \$.08 per line per month to the Kentucky USF for each Total Call Kentucky customer, both Lifeline and non-Lifeline.

Witness: Hideki Kato, Chief Operating Officer, Total Call Mobile, Inc.

**Information Request #11:** Confirm that Total Call will collect or otherwise contribute \$.04 per line per month to the Kentucky Telecommunications Relay Service/Telecommunication Access Program Fund for each Total Call Kentucky customer, both Lifeline and non-Lifeline.

**Response to Information Request #11:** Yes, Total Call will contribute \$.04 per line per month to the Kentucky Telecommunications Relay Service/Telecommunication Access Program Fund for each Total Call Kentucky customer, both Lifeline and non-Lifeline.

Witness: Hideki Kato, Chief Operating Officer, Total Call Mobile, Inc.

**Information Request #12:** Confirm that Total Call will contribute to the Commercial Mobile Radio Service Emergency Telecommunications Fund pursuant to KRS 65.7:35.

**Response to Information Request #12:** Yes, Total Call will contribute to the Commercial Mobile Radio Service Emergency Telecommunications Fund pursuant to KRS 65.7:35.

Witness: Hideki Kato, Chief Operating Officer, Total Call Mobile, Inc.



COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF AMERIMEX COMMUNICATIONS	)	
CORP. FOR DESIGNATION AS AN ELIGIBLE	)	CASE NO.
TELECOMMUNICATIONS CARRIER ON A	)	2013-00301
WIRELESS BASIS (LOW INCOME ONLY)	)	

ORDER

On April 3, 2013, AmeriMex Communications Corp. ("AmeriMex"), a reseller of Commercial Mobile Radio Service, also known as a Mobile Virtual Network Operator, filed an application under 47 U.S.C. § 214(e)(2) seeking designation as an Eligible Telecommunications Carrier ("ETC"). AmeriMex seeks to receive both federal low-income and state Universal Service Fund ("USF") support for wireless services.<sup>1</sup> AmeriMex seeks ETC designation only for the purpose of participation in the Lifeline program. AmeriMex does not seek high-cost support.

The application states that: (1) AmeriMex meets all the requirements for designation as an ETC to serve the designated areas in the state of Kentucky;<sup>2</sup> (2) AmeriMex requests designation in the underlying carrier's licensed service areas in Kentucky;<sup>3</sup> (3) in accordance with 47 U.S.C. § 214(e)(2), AmeriMex seeks to be

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<sup>1</sup> AmeriMex requests ETC designation in the service area of its underlying carriers, Sprint and Verizon Wireless, including both rural and non-rural exchanges of the incumbent carriers. App. at footnote 2.

<sup>2</sup> *Id.* at pp. 3-6.

<sup>3</sup> *Id.* at p. 8.

designated as an ETC solely to provide Lifeline service to Qualifying Kentucky Customers;<sup>4</sup> and, (4) designation of AmeriMex as an ETC for the designated areas served in Kentucky will serve the public interest.<sup>5</sup>

Consumers will be enrolled in person, through a toll-free telephone number, or on the company's website.<sup>6</sup> AmeriMex will require that prospective customers complete the Lifeline Application and certify that they meet eligibility criteria to participate in Lifeline.<sup>7</sup> Company personnel will verify the customer's eligibility by using databases and reviewing documentation.<sup>8</sup>

AmeriMex has stated in its application that it will comply with all the rules and regulations that the Commission may impose on the provision of wireless service.<sup>9</sup> The Commission requires that the Kentucky Universal Service support, the Kentucky Telecommunications Relay Service, and Telecommunications Access Program support be collected for each wireless customer. AmeriMex states that it will register with the Kentucky Commercial Mobile Radio Services Board for the purpose of reporting and remitting the statewide wireless 911 fee for wireless carriers.<sup>10</sup> AmeriMex states it will not provide toll-limitation services because its calling plans do not charge any fees for toll calls.<sup>11</sup>

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<sup>4</sup> *Id.* at p. 1.

<sup>5</sup> *Id.* at pp. 10-11.

<sup>6</sup> *Id.* at Exhibit A, pp. 6-7.

<sup>7</sup> *Id.* at Exhibit A, p. 7.

<sup>8</sup> *Id.* at Exhibit A, p. 10.

<sup>9</sup> App. at p. 10.

<sup>10</sup> *Id.* at p. 6.

<sup>11</sup> *Id.*

further emphasize that, if the petitioner fails to fulfill the requirements of the Act, the FCC's rules, or the terms of this Order after it begins receiving universal-service support, the Commission may exercise its authority to revoke such petitioner's ETC designation.<sup>54</sup> The FCC also may assess forfeitures for violations of FCC rules and orders.<sup>55</sup>

#### Annual Certification and Verification

Each year AmeriMex will require all Lifeline subscribers to recertify their head of household status, certify that only one Lifeline discount is received at their household, and document their continued program eligibility for Lifeline in accordance with the annual Lifeline Certification and Verification for USAC that is due annually.<sup>56</sup> The Commission finds that AmeriMex's plan to meet the annual certification and verification requirements is in accordance with the FCC's requirements.

The Commission, having reviewed the evidence of record and having been otherwise sufficiently advised, HEREBY ORDERS that:

1. The designation of AmeriMex as a limited ETC is conditioned on AmeriMex's compliance with: (1) the representations and commitments made by AmeriMex in its ETC application and its Compliance Plan; and (2) the FCC rules, including those adopted by the FCC in the Lifeline Reform Order.

2. AmeriMex is designated as an ETC for the purpose of offering Lifeline service only in the underlying carriers' licensed service areas in Kentucky.

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<sup>54</sup> See *Federal-State Joint Board on Universal Service; Western Wireless Corp. Petition for Preemption of an Order of the South Dakota Public Utilities Commission*, CC Docket No. 96-45, Declaratory Ruling, 15 FCC Rcd 15168, 15174, ¶ 15 (2000); See also 47 U.S.C. § 254(e).

<sup>55</sup> See 47 U.S.C. § 503(b).

<sup>56</sup> Administrative Case No. 2012-00146, Lifeline Reform (Ky. PSC May 1, 2012).

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

DEC 28 2012

PUBLIC SERVICE  
COMMISSION

In the Matter of:

PETITION OF NEXUS )  
COMMUNICATIONS, INC. FOR )  
ADDITIONAL DESIGNATION AS AN ) CASE NO. 2009-00110  
ELIGIBLE TELECOMMUNICATIONS )  
CARRIER IN KENTUCKY )

**NOTICE OF REACTIVATION AND AMENDMENT TO  
PETITION OF NEXUS COMMUNICATIONS, INC.**

On March 12, 2009, Nexus Communications, Inc. d/b/a ReachOut Wireless ("Nexus" or "the Company") filed with the Kentucky Public Service Commission (the "Commission") a Petition requesting additional designation as an Eligible Telecommunications Carrier ("ETC"). On September 27, 2011, the Commission granted Nexus' motion to hold the above-captioned proceeding in abeyance. In accordance with that order, Nexus hereby gives notice that it reactivates and amends its Petition as described herein.

This Amendment is submitted in order to reflect changes to the Lifeline rules and policies of the Federal Communications Commission ("FCC") promulgated in its *Lifeline Reform Order*<sup>1</sup> and its *USF/ICC Order on Reconsideration*,<sup>2</sup> as well as the Commission's Order dated May 1, 2012 in Administrative Case No. 2012-00146. Nexus hereby amends its Petition as follows:

<sup>1</sup> *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd. 6656 (FCC, 2012) ("*Lifeline Reform Order*").

<sup>2</sup> *Connect America Fund, et al.*, Order on Reconsideration, Docket Nos. WC 10-90, *et al.* (Dec. 23, 2011) ("*USF/ICC Order on Reconsideration*").



particular expertise in intercarrier relations, and subscriber care and billing database management.

In order to provide wireless Lifeline services, Nexus purchases wireless minutes from a national carrier (Verizon Wireless) that is widely recognized for the quality and reliability of its wireless network. Nexus supplements this robust wireless network with its own network facilities, back-office and operations support systems, which Nexus operates and are ideally suited to serve lower revenue subscribers. Nexus has made a significant financial investment to evaluate, design, develop and integrate these systems. With respect to this network investment, Nexus owns and operates its own switching and other facilities located in Ohio, which are housed in a Tier IV co-location facility.

Nexus has good relationships with the commissions in the states in which it operates. Moreover, Nexus is financially stable and fully capable of honoring its service obligations to subscribers and federal and state regulatory obligations. Although Nexus currently derives the majority of its revenue from the sale of prepaid wireless services, Nexus does not rely exclusively on disbursements from the Lifeline program to operate. For example, Nexus derives additional revenue from the sale of wireline and wireless services to non-Lifeline subscribers, and the sale of optional replenishment airtime and text minutes.

## **XI. FEES**

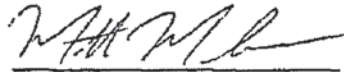
Nexus certifies that it will submit to the Commission the Kentucky USF fee and Kentucky Telecommunications Relay Service and Telecommunications Access Program fee for each subscriber, although these fees will not be billed directly to Nexus' Lifeline subscribers because the subscribers do not receive bills. Nexus also certifies that it will remit the statewide wireless 911 fee to the Commercial Mobile Radio Services Board.

## **XII. RELIEF REQUESTED**

Nexus respectfully requests that the Commission grant its Petition and designate Nexus as an ETC for wireless service in the area defined by the geographic coverage of its underlying wireless carrier, Verizon Wireless, thereby enabling Nexus to provide Lifeline services to qualified low-income Kentuckians in that area.

Respectfully submitted,

By:



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*Counsel to Nexus Communications, Inc.*

December \_\_, 2012

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF Q LINK WIRELESS LLC	)	
FOR DESIGNATION AS AN ELIGIBLE	)	CASE NO.
TELECOMMUNICATIONS CARRIER IN THE	)	2012-00473
COMMONWEALTH OF KENTUCKY	)	

ORDER

On October 22, 2012, Q Link Wireless LLC ("Q Link"), a reseller of Commercial Mobile Radio Service, also known as a Mobile Virtual Network Operator, filed an application under 47 U.S.C. § 214(e)(2) seeking designation as an Eligible Telecommunications Carrier ("ETC"). Q Link seeks to receive both federal low-income and Kentucky Universal Service Fund ("USF") support for wireless services.<sup>1</sup> Q Link seeks ETC designation only for the purpose of participation in the Lifeline program. Q Link does not seek high-cost support.

The application states that: (1) Q Link meets all the requirements for designation as an ETC to serve the designated areas in the state of Kentucky;<sup>2</sup> (2) Q Link requests designation in the underlying carrier's licensed service areas within the non-rural exchanges of BellSouth Telecommunications, LLC dba AT&T Kentucky, Cincinnati Bell Telephone Company and Windstream Kentucky East, LLC;<sup>3</sup> (3) In accordance with 47

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<sup>1</sup> Q Link requests ETC designation in the underlying carrier's (Sprint Spectrum L.P. ("Sprint")) licensed service area within the non-rural exchanges of BellSouth Telecommunications, LLC dba AT&T Kentucky, Cincinnati Bell Telephone Company and Windstream Kentucky East, LLC. App. at pp. 1, 3, and 14.

<sup>2</sup> Id. at pp 9-17.

<sup>3</sup> Id. at p. 14 and Exhibit 5.

Q Link has stated in its application that it will submit to the Commission the Kentucky USF fee and the Kentucky Telecommunications Relay Service and Telecommunications Access Program fee for each customer.<sup>8</sup> Q Link also states that it will remit the statewide wireless 911 fee to the Commercial Mobile Radio Services Board.<sup>9</sup> Q Link states it will not provide toll-limitation services, since its calling plans do not charge any fees for toll calls.<sup>10</sup>

### DISCUSSION

Pursuant to 47 U.S.C. § 254(e), "only an eligible telecommunications carrier designated under 47 U.S.C. § 214(e) shall be eligible to receive specific federal universal service support." Pursuant to 47 U.S.C. § 214(e)(1)(A) and (B), a common carrier designated as an ETC must offer the services supported by the federal universal service support mechanisms, using either its own facilities or a combination of its own facilities and resale of another carrier's services throughout its designated service area, and it must advertise the availability and charges for those services.

Pursuant to 47 U.S.C. § 214(e)(2), state commissions bear the primary responsibility for performing ETC designations. Under the same section, the Commission may, with respect to an area served by a rural telephone company, and shall, in all other cases, designate more than one common carrier as an ETC for a designated service area, consistent with the public interest, convenience, and necessity, as long as the requesting carrier meets the requirements of 47 U.S.C. § 214(e)(1).

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<sup>8</sup> Id. at p. 18.

<sup>9</sup> Id.

<sup>10</sup> Id. at p. 12.



COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BLUE JAY WIRELESS FOR	)	
DESIGNATION AS AN ELIGIBLE	)	CASE NO.
TELECOMMUNICATIONS CARRIER IN THE	)	2013-00377
COMMONWEALTH OF KENTUCKY	)	

ORDER

On October 17, 2013, Blue Jay Wireless, LLC ("Blue Jay"), a reseller of Commercial Mobile Radio Service, also known as a Mobile Virtual Network Operator, filed an application under 47 U.S.C. § 214(e)(2) seeking designation as an Eligible Telecommunications Carrier ("ETC"). Blue Jay seeks to receive both federal low-income and state Universal Service Fund ("USF") support for wireless services.<sup>1</sup> Blue Jay seeks ETC designation only for the purpose of participation in the Lifeline program. Blue Jay does not seek high-cost support.

The application states that: (1) Blue Jay meets all the requirements for designation as an ETC to serve the designated areas in the state of Kentucky;<sup>2</sup> (2) Blue Jay requests designation in the underlying carrier's licensed service areas in Kentucky;<sup>3</sup> (3) in accordance with 47 U.S.C. § 214(e)(2), Blue Jay seeks to be designated as an

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<sup>1</sup> Blue Jay requests ETC designation in the service area of its underlying carriers, Sprint, T-Mobile, and Verizon Wireless, including both rural and non-rural exchanges of the incumbent carriers, App. at Footnote 2.

<sup>2</sup> *Id.* at pp. 4-14.

<sup>3</sup> *Id.* at p. 9.

ETC solely to provide Lifeline service to qualifying customers in Kentucky;<sup>4</sup> and (4) designation of Blue Jay as an ETC for the designated areas served in Kentucky will serve the public interest.<sup>5</sup>

Consumers will be enrolled in person, through a toll-free telephone number, fax, by mail, or on the company's website.<sup>6</sup> Blue Jay will require that prospective customers complete the Lifeline Application and certify that they meet eligibility criteria to participate in Lifeline.<sup>7</sup> Company personnel will verify the customer's eligibility by using databases and reviewing documentation.<sup>8</sup>

Blue Jay has stated in its application that it will comply with all the rules and regulations that the Commission may impose on the provision of wireless service.<sup>9</sup> The Commission requires that the Kentucky Universal Service support and the Kentucky Telecommunications Relay Service and Telecommunications Access Program support be collected for each wireless customer. ~~Blue Jay states that it will register with the Kentucky Commercial Mobile Radio Services Board for the purpose of reporting and remitting the statewide wireless 911 fee for wireless carriers.~~<sup>10</sup> Blue Jay states it will not provide toll-limitation services, since its calling plans do not charge any fees for toll calls.<sup>11</sup>

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<sup>4</sup> *Id.* at p. 1.

<sup>5</sup> *Id.* at pp. 14-16.

<sup>6</sup> *Id.* at Exhibit A, p. 5.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* at Exhibit A, pp. 7-8.

<sup>9</sup> App. at pp. 13-14.

<sup>10</sup> *Id.* at p. 2.

<sup>11</sup> *Id.* at 8-9.

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF TELRITE CORPORATION	)	
D/B/A LIFE WIRELESS FOR DESIGNATION AS	)	CASE NO.
AN ELIGIBLE TELECOMMUNICATIONS	)	2013-00031
CARRIER ON A WIRELESS BASIS (LOW	)	
INCOME ONLY)		

ORDER

On January 22, 2013, Telrite Corporation d/b/a Life Wireless ("Telrite"), a reseller of Commercial Mobile Radio Service, also known as a Mobile Virtual Network Operator, filed an application under 47 U.S.C. § 214(e)(2) seeking designation as an Eligible Telecommunications Carrier ("ETC"). Telrite seeks to receive both federal low-income and Kentucky Universal Service Fund ("USF") support for wireless services.<sup>1</sup> Telrite seeks ETC designation only for the purpose of participation in the Lifeline program. Telrite does not seek high-cost support.

The application states that: (1) Telrite meets all the requirements for designation as an ETC to serve the designated areas in the state of Kentucky;<sup>2</sup> (2) Telrite requests designation in the underlying carrier's licensed service areas in Kentucky;<sup>3</sup> (3) In accordance with 47 U.S.C. § 214(e)(2), Telrite seeks to be designated as an ETC solely to provide Lifeline service to Qualifying Kentucky Customers;<sup>4</sup> and (4) Designation of

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<sup>1</sup> Telrite requests ETC designation in the underlying carrier's (AT&T Wireless) licensed service area in Kentucky. App. at p. 1.

<sup>2</sup> Id. at pp. 7-14.

<sup>3</sup> Id. at p. 1.

<sup>4</sup> Id. at p. 1-2.

Telrite as an ETC for the designated areas served in Kentucky will serve the public interest.<sup>5</sup>

Telrite's planned wireless Lifeline offering will provide eligible customers with two alternative Lifeline plans; 125 monthly anytime minutes that roll over and text messaging at the rate of three text messages per voice minute; or 250 monthly anytime minutes that do not roll over and text messaging at the rate of three text messages per voice minute. Lifeline customers will receive a free handset and have the ability to purchase additional airtime. In addition to voice services, Lifeline customers also will have access to a variety of other standard features at no additional charge, including caller I.D., call waiting, call forwarding, 3-way calling and voicemail.<sup>6</sup>

Consumers will be enrolled primarily by in-person events.<sup>7</sup> Telrite will use an electronic application that will allow real-time database checks to verify eligibility.<sup>8</sup> Customers will be required to call a number to complete the activation process.<sup>9</sup>

Telrite has stated in its application that it will submit to the Commission the Kentucky USF fee and the Kentucky Telecommunications Relay Service and Telecommunications Access Program fee for each customer.<sup>10</sup> Telrite also states that it will remit the statewide wireless 911 fee to the Commercial Mobile Radio Services

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<sup>5</sup> Id. at pp. 14-19.

<sup>6</sup> Id. at p. 15-16.

<sup>7</sup> Id. at Exhibit A p. 5

<sup>8</sup> Id.

<sup>9</sup> Id. at Exhibit A p. 14.

<sup>10</sup> Id. at p. 10 and 17.

Board.<sup>11</sup> Telrite states it will not provide toll-limitation services, since its calling plans do not charge any fees for toll calls.<sup>12</sup>

#### DISCUSSION

Pursuant to 47 U.S.C. § 254(e), "only an eligible telecommunications carrier designated under 47 U.S.C. § 214(e) shall be eligible to receive specific federal universal service support." Pursuant to 47 U.S.C. § 214(e)(1)(A) and (B), a common carrier designated as an ETC must offer the services supported by the federal universal service support mechanisms, using either its own facilities or a combination of its own facilities and resale of another carrier's services throughout its designated service area, and it must advertise the availability and charges for those services.

Pursuant to 47 U.S.C. § 214(e)(2), state commissions bear the primary responsibility for performing ETC designations. Under the same section, the Commission may, with respect to an area served by a rural telephone company, and shall, in all other cases, designate more than one common carrier as an ETC for a designated service area, consistent with the public interest, convenience, and necessity, as long as the requesting carrier meets the requirements of 47 U.S.C. § 214(e)(1). Also, before designating an additional ETC for an area served by a rural telephone company, the Commission must determine that the designation is in the public interest.

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<sup>11</sup> Id. at 10.

<sup>12</sup> Id.